

RECEIVED

FEB 02 2004

OFFICE OF PETITIONS

PATENT
0230-0162P

#3

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Kenji ASANO et al. Conf.:
Appl. No.: 09/856,717 Group: Unassigned
Filed: May 25, 2001 Examiner: Unassigned
For: T CELL IMMUNOACTIVITY ENHANCERS CONTAINING
EXTRACT OF LENTINUS EDODES MYCELIUM

PETITION UNDER 37 C.F.R. § 1.47(a)

Assistant Commissioner for Patents
Washington, DC 20231

February 19, 2002

Sir:

1. This petition is to declare that the non-signing inventor cannot be reached or located, notwithstanding diligent effort, or refuses to sign the oath or declaration after having been presented with the same.

2. Attached hereto as an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116.

3. Fee Payment

- ☒ The surcharge fee the late filing of the declaration (37 C.F.R. § 1.17(i)) in the amount of \$130.00 was paid on May 25, 2001.
- ☒ The petition fee (37 C.F.R. § 1.17(h)) in the amount of \$130.00 is attached.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

4. Statement of non-signing inventor's last known address:

Yutaka TAJIMA
10-511, Yaemizo 3-chome
Saga-shi, Saga 849-0935 JAPAN

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Gerald M. Murphy, Jr., #28,977

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

GMM/MAA/bsh
0230-0162P

Attachments